

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CRIMINAL ACTION NO.: 1:11CR114-SA

JAMES WILLIAM SMITH

DEFENDANT

ORDER ON BRIEFING

The Court hereby directs the parties to include in their post-trial briefing why the Fifth Circuit's opinion in United States v. Moreland, 665 F.3d 137 (5th Cir. 2011), does or does not apply in this case. As the Defendant has already filed two post-trial motions, the Government's deadline for submitting its response, which will include how the Government distinguishes this case from the Moreland case, is extended to October 9, 2012. Defendant can then include in his Reply to the Government's response, why he believes the analysis of Moreland applies in this instance. Defendant's Reply is due October 16, 2012.

SO ORDERED, this the 25th day of September, 2012.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE